

crewmember's duties aboard an aircraft being operated under this part.

[Doc. No. FAA-1998-4954, 64 FR 1080, Jan. 7, 1999]

**§ 125.329 Minimum altitudes for use of autopilot.**

(a) Except as provided in paragraphs (b), (c), (d), and (e) of this section, no person may use an autopilot at an altitude above the terrain which is less than 500 feet or less than twice the maximum altitude loss specified in the approved Airplane Flight Manual or equivalent for a malfunction of the autopilot, whichever is higher.

(b) When using an instrument approach facility other than ILS, no person may use an autopilot at an altitude above the terrain that is less than 50 feet below the approved minimum descent altitude for that procedure, or less than twice the maximum loss specified in the approved Airplane Flight Manual or equivalent for a malfunction of the autopilot under approach conditions, whichever is higher.

(c) For ILS approaches when reported weather conditions are less than the basic weather conditions in §91.155 of this chapter, no person may use an autopilot with an approach coupler at an altitude above the terrain that is less than 50 feet above the terrain, or the maximum altitude loss specified in the approved Airplane Flight Manual or equivalent for the malfunction of the autopilot with approach coupler, whichever is higher.

(d) Without regard to paragraph (a), (b), or (c) of this section, the Administrator may issue operations specifications to allow the use, to touchdown, of an approved flight control guidance system with automatic capability, if—

(1) The system does not contain any altitude loss (above zero) specified in the approved Airplane Flight Manual or equivalent for malfunction of the autopilot with approach coupler; and

(2) The Administrator finds that the use of the system to touchdown will not otherwise adversely affect the safety standards of this section.

(e) Notwithstanding paragraph (a) of this section, the Administrator issues operations specifications to allow the use of an approved autopilot system with automatic capability during the

takeoff and initial climb phase of flight provided:

(1) The Airplane Flight Manual specifies a minimum altitude engagement certification restriction;

(2) The system is not engaged prior to the minimum engagement certification restriction specified in the Airplane Flight Manual or an altitude specified by the Administrator, whichever is higher; and

(3) The Administrator finds that the use of the system will not otherwise affect the safety standards required by this section.

[Doc. No. 19779, 45 FR 67325, Oct. 9, 1980, as amended by Amdt. 125-12, 54 FR 34332, Aug. 18, 1989; Amdt. 125-29, 62 FR 27922, May 21, 1997]

**§ 125.331 Carriage of persons without compliance with the passenger-carrying provisions of this part.**

The following persons may be carried aboard an airplane without complying with the passenger-carrying requirements of this part:

(a) A crewmember.

(b) A person necessary for the safe handling of animals on the airplane.

(c) A person necessary for the safe handling of hazardous materials (as defined in subchapter C of title 49 CFR).

(d) A person performing duty as a security or honor guard accompanying a shipment made by or under the authority of the U.S. Government.

(e) A military courier or a military route supervisor carried by a military cargo contract operator if that carriage is specifically authorized by the appropriate military service.

(f) An authorized representative of the Administrator conducting an en route inspection.

(g) A person authorized by the Administrator.

**§ 125.333 Stowage of food, beverage, and passenger service equipment during airplane movement on the surface, takeoff, and landing.**

(a) No certificate holder may move an airplane on the surface, take off, or land when any food, beverage, or tableware furnished by the certificate holder is located at any passenger seat.

(b) No certificate holder may move an airplane on the surface, take off, or land unless each food and beverage

tray and seat back tray table is secured in its stowed position.

(c) No certificate holder may permit an airplane to move on the surface, take off, or land unless each passenger serving cart is secured in its stowed position.

(d) Each passenger shall comply with instructions given by a crewmember with regard to compliance with this section.

[Doc. No. 26142, 57 FR 42675, Sept. 15, 1992]

### Subpart K—Flight Release Rules

#### § 125.351 Flight release authority.

(a) No person may start a flight without authority from the person authorized by the certificate holder to exercise operational control over the flight.

(b) No person may start a flight unless the pilot in command or the person authorized by the certificate holder to exercise operational control over the flight has executed a flight release setting forth the conditions under which the flight will be conducted. The pilot in command may sign the flight release only when both the pilot in command and the person authorized to exercise operational control believe the flight can be made safely, unless the pilot in command is authorized by the certificate holder to exercise operational control and execute the flight release without the approval of any other person.

(c) No person may continue a flight from an intermediate airport without a new flight release if the airplane has been on the ground more than 6 hours.

#### § 125.353 Facilities and services.

During a flight, the pilot in command shall obtain any additional available information of meteorological conditions and irregularities of facilities and services that may affect the safety of the flight.

#### § 125.355 Airplane equipment.

No person may release an airplane unless it is airworthy and is equipped as prescribed.

#### § 125.357 Communication and navigation facilities.

No person may release an airplane over any route or route segment unless communication and navigation facilities equal to those required by § 125.51 are in satisfactory operating condition.

#### § 125.359 Flight release under VFR.

No person may release an airplane for VFR operation unless the ceiling and visibility en route, as indicated by available weather reports or forecasts, or any combination thereof, are and will remain at or above applicable VFR minimums until the airplane arrives at the airport or airports specified in the flight release.

#### § 125.361 Flight release under IFR or over-the-top.

Except as provided in § 125.363, no person may release an airplane for operations under IFR or over-the-top unless appropriate weather reports or forecasts, or any combination thereof, indicate that the weather conditions will be at or above the authorized minimums at the estimated time of arrival at the airport or airports to which released.

#### § 125.363 Flight release over water.

(a) No person may release an airplane for a flight that involves extended overwater operation unless appropriate weather reports or forecasts, or any combination thereof, indicate that the weather conditions will be at or above the authorized minimums at the estimated time of arrival at any airport to which released or to any required alternate airport.

(b) Each certificate holder shall conduct extended overwater operations under IFR unless it shows that operating under IFR is not necessary for safety.

(c) Each certificate holder shall conduct other overwater operations under IFR if the Administrator determines that operation under IFR is necessary for safety.

(d) Each authorization to conduct extended overwater operations under VFR and each requirement to conduct other overwater operations under IFR will be specified in the operations specifications.